

## RESOLUTION NO. A-\_\_\_\_\_

1 WHEREAS, the Fraternal Order of Eagles has requested a waiver of the  
2 surfacing requirements for a parking lot located on property generally located at 2112  
3 Cornhusker Highway and legally described as:

4 Lot 56 I.T., located in the Southeast Quarter of Section 12,  
5 Township 10 North, Range 6 East of the 6th P.M.,  
6 Lincoln, Lancaster County, Nebraska;

7 WHEREAS, the City Council finds that:

8 a) The parking lot for which the waiver of the surfacing requirement is  
9 requested is to be used in conjunction with a nonprofit, religious, educational, or  
10 philanthropic institution;

11 b) Alternate materials or techniques shall be utilized which provide  
12 reasonable control of dust, runoff, and safe circulation; and

13 c) The location of the parking lot is sufficient distance from  
14 surrounding uses that it will not adversely affect the surrounding uses, and the  
15 frequency of use of the parking lot is so low that compliance with the surfacing  
16 requirements at the present time would cause undue economic hardship upon the  
17 owner as compared with minimal impact upon the surrounding land uses.

18 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of  
19 Lincoln, Nebraska:

20 In consideration of the findings made above, the requirement for the  
21 paving of the parking lot for the Fraternal Order of Eagles located at 2112 Cornhusker  
22 Highway on property legally described above is hereby waived pursuant to §  
23 27.67.100(c) of the Lincoln Municipal Code under the following conditions:

24 1) If it is later found that dust or noise, created by the use of the  
25 parking lot exceeds the maximum levels set forth in Title 8 of the Lincoln Municipal  
26 Code, then such waiver may, after notice and hearing by the City Council, be revoked.

1                                2)     This resolution's terms, conditions, and requirements bind and  
2     obligate the permittee, its successors and assigns.

Introduced by:

\_\_\_\_\_

Approved as to Form & Legality:

\_\_\_\_\_  
City Attorney

Staff Review Completed:

\_\_\_\_\_  
Administrative Assistant

Approved this \_\_\_\_ day of \_\_\_\_\_, 2001:

\_\_\_\_\_  
Mayor